



Dated: January 17, 2019
The following is SO ORDERED:


Jimmy L. Croom
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE, EASTERN DIVISION

IN RE: Donald R. East Sr. & Shelia M. East CHAPTER 13
Debtors Case No.: 15-12456

ORDER ON MOTION TO EMPLOY ATTORNEY FOR REPRESENTATION
IN THE SUPERIOR COURT FOR COBB COUNTY, GEORGIA
REGARDING A CIVIL CAUSE OF ACTION CASE

This cause came to be heard before the Honorable James Croom, United States Bankruptcy Judge, after notice, on Donald R. East, Sr.'s motion to approve employment of Attorney Howard P. Slomka and Wendy R. Barnes, Slipakoff & Slomka, PC, to assist in prosecution of a non-bankruptcy civil cause of action belonging to the Debtors. There being no objection, and after consideration of the circumstances, the Court is of the opinion the relief should be granted under the following terms and conditions.

1. It is therefore Ordered the Debtor is permitted to retain Howard P. Slomka and Wendy R. Barnes, attorneys duly licensed to practice law in the State of Georgia to represent the

Debtors' interests in a non-bankruptcy civil action filed or to be filed, if necessary, in the SUPERIOR COURT FOR COBB COUNTY, GEORGIA.

2. The stay of 11 USC 362 is modified to permit such litigation to proceed, including the filing of any counter- claims or cross- claims against the Debtor(s); however, no judgement rendered against the Debtor(s) may be enforced without further application to and orders from this Court. Any and all proceeds from this cause of action in favor of the Debtor(s) shall be property of the estate, subject to any exemptions to which the Debtor(s) might be entitled and which are specifically claimed, with notice to the Chapter 13 Trustee, following termination of the civil action.
3. Fees and expenses incurred by the attorney representing the Debtor(s) in the non-bankruptcy civil litigation may be paid without further order from this court only if such fees and expenses are specifically approved by the Court hearing the action and such order is attached as an exhibit. Otherwise, fees and expenses for the attorney in civil litigation shall be reviewed by the Court in the motion for approval of the proposed settlement and may not be paid without approval of this Court.
4. From the net proceeds of any recovery in the non-bankruptcy civil action, notwithstanding any claimed exemptions, there shall be paid to the Chapter 13 Trustee, sufficient funds to bring disbursements under Debtor(s) plan current. The balance may be disbursed to the Debtor(s) as approved by the Chapter 13 Trustee, or as provided by any separate order of this Court.

Prepared by:

/s/Richard H. Walker

*Richard H. Walker, Attorney for Debtor
108 W. Court St.
Dyersburg, TN 38024
Phone (731) 285-8165
B.P.R. #14166

Approved by:

/s/ Howard P. Slomka

Howard P. Slomka, Attorney for debtor
Wendy R. Barnes
in non bankruptcy matter
Slipakoff & Slomka, PC
2859 Paces Ferry Road SE Ste 1700
Atlanta, GA 30339
404-800-4017

/s/ Timothy H. Ivy

Timothy H. Ivy, Chapter 13 Trustee
PO Box 1313
Jackson, TN 38302

Certificate of Service

The Agreed Order To Employ An Attorney By Debtor will be mailed to the following.

Debtor, Debtor's Attorney, Chapter 13 Trustee, US Trustee,
Attorney for Debtor in non bankruptcy case: Slipakoff & Slomka, 2859 Paces Ferry Road SE, Ste
1700, Atlanta, GA 30339

/s/ Richard H. Walker